

POLICY MANUAL

1. GENERAL ADMINISTRATION

1.02 Local Agency Selection and Disqualification

A. POLICY OVERVIEW:

PA WIC State Agency shall periodically review the qualifications of authorized local agencies under its jurisdiction. This shall be achieved via review of current grantee performance and compliance history, review of contract/grant options, including a cost/benefit analysis of each, and pursuing the most viable option to serve and grow program participation following State procurement requirements.

B. POLICY:

1. Service Delivery Analysis

The State Agency (SA) shall gather and analyze the following data elements to evaluate administrative, service delivery and cost efficiency of available options, including but not limited to Non-Solicitation Awards (NSA), Request for Application (RFA), Request for Proposals (RFP), appropriate adjustments, and staff augmentation:

- a. Availability of other community resources
- b. Cost efficiency and effectiveness of local agency (LA) food and nutrition services and administrative costs, including:
 - (1) Infrastructure installation and maintenance costs
 - (2) Personnel needs, wages, benefits, fringe, and indirect expenses
 - (3) Mortgage, rent and space expenses
- c. Participation increase/decrease
 - (1) Percentage of participants in each priority level being served
 - (2) Percentage of need being met in each participant category
- d. Position or standing in the priority system
- e. Invoice timeliness
- f. Contract/grant compliance history
- g. Valid complaint history

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- h. Monitoring history
- i. Accessibility of clinic sites
- j. Other factors deemed pertinent

2. Local Agency Selection

When a LA is disqualified, a grant agreement is due to expire, or a LA elects to terminate their grant agreement, the SA will follow State procurement rules to select a LA.

3. Local Agency Disqualification

- a. A LA may be disqualified for any of the reasons described in 7 CFR 246.5.e. The SA may establish its own criteria for disqualification of LAs (7 CFR 246.5.e.2.).
- b. The State Agency shall consider several aspects stated under Federal Regulations, 7 CFR 246.5(e)(2)(i-v), in addition to any State established criteria, in decisions of disqualification. As determined under State established criteria, the SA may implement any one or all the following measures:
 - (1) Technical assistance
 - (2) Corrective action: the LA's plan, submitted to the SA for approval, to come into compliance
 - (3) Directed plan of correction: the SA's prescriptive instructions for the LA to come into compliance
- c. When disqualifying a LA, SA personnel shall:
 - (1) Work with LA staff to transition participants making every effort to transfer affected participants to another LA without service disruption.
 - (2) Provide the affected LA with written notice not less than sixty days in advance of the pending action, which includes:
 - (a) An explanation of the reasons for the disqualification
 - (b) The date of disqualification
 - (c) The LA's right to appeal (except in cases of LA agreement expiration).

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Reference(s):

1. 7 CFR Part 246.5 – Selection of Local Agencies
2. 7 CFR Part 246.18(a)(3)(i-iii) – Local Agency Appeals

Policy Status:

1. This Policy supersedes P&P 1.02, dated August 1, 2017.